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June 2, 1997

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY**

Mr. William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street NW Room 222
Washington DC 20554

In the Matter of:

The North American Numbering Council
(NANC) Recommendations Regarding the
Implementation of Telephone Number Portability

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CC Docket No. 95-116

Dear Mr. Caton,

Enclosed are an original and four copies plus two additional public copies of the Comments of Cincinnati Bell Telephone Company in the above referenced proceeding. A duplicate original copy of this letter and attached Comments is also provided. Please date stamp this as acknowledgment of its receipt and return it. Questions regarding these Comments may be directed to Patricia Rupich at the above address or by telephone on (513) 397-6671.

Sincerely,

David L. Meier

Enclosure

cc: International Transcription Service, Inc.
Janice Myles, Common Carrier Bureau

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CC Docket No. 95-116

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Section 6.6 of the NANC's Local Number Portability Administration Selection Working Group report ("NANC Report") dated April 25, 1997, recommends the creation of seven regional databases, with the regions matching the Regional Bell Operating Company ("RBOC") territories. The report cites several reasons for establishing regions that match the RBOC territories. The foremost reason cited is that it is easier and less costly for the RBOCs to connect

to a single regional database, rather than multiple databases.¹ In addition, the state commissions, telecommunications industry and the FCC are already familiar with the RBOC territories and thus, will find it easier to work within these areas. The NANC Report notes the following justifications for matching regional databases to RBOC territories:

1. state commissions, the industry and the FCC have become accustomed to working with the RBOCs in their regions;
2. state commissions within RBOC territories have formed associations to address regional issues and therefore, both incumbents and new entrants are currently working within those areas;
3. state commissions have been asked by limited liability companies ("LLCs") to focus their Numbering Plan Area Coordinator ("NPAC") efforts on established RBOC territories; and
4. when faced with the opportunity for system efficiencies and an aggressive schedule, the industry has leaned toward the RBOC territories.²

While CBT does not disagree with the justification for matching the regional databases to the RBOC territories, it does object to the apparent lack of consideration of the impact on non-RBOCs. CBT believes that it may be the only incumbent local exchange carrier ("ILEC") with a contiguous operating area (other than ILECs operating in the U. S. territories) whose territory is not wholly contained within one of the seven regional databases. CBT operates in the Cincinnati

¹ NANC Report, Section 6.6.5.2.

² NANC Report, Section 6.6.5.3.

metropolitan area which includes counties in Ohio, Kentucky and Indiana³ and thus, will be split between the Mid-west (Region # 3) and the Southeast (Region # 4) regions. As the NANC stated in its recommendation, being split between regions will complicate implementation and lead to higher costs. This result is true not only for the RBOCs, but for any carrier that must connect to more than one regional database.

CBT estimates that it will cost an extra \$400,000 to connect to databases in two different regions. This cost will be in addition to the considerable cost of implementing number portability in one territory. There is no justification for this additional cost, and since the long-term cost recovery mechanisms have not yet been determined, CBT is very concerned that this additional burden will fall on CBT and its customers.

As CBT indicated in its Comments on the Further Notice of Proposed Rulemaking regarding the long-term number portability cost recovery⁴ and in its Comments on Petitions for Reconsideration of the First Report and Order,⁵ implementing number portability will be more difficult and have a greater financial impact on small and mid-sized companies, like CBT, than on large carriers like the RBOCs. The existing requirements of implementing number portability are already burdensome. The NANC recommendations add to the burden on small companies like CBT by requiring implementation of number portability within two different regions

³ CBT's territory includes four counties in southwestern Ohio, six counties in northern Kentucky, and two counties in southeastern Indiana.

⁴ In the Matter of Telephone Number Portability, CC Docket No. 95-116, RM 8535, Comments of CBT filed August 16, 1996, at p. 4.

⁵ CBT Comments on Petitions for Reconsideration of Pacific Telesis Group and BellSouth Corporation, CC Docket No. 95-116, RM 8535 filed September 27, 1996, at pp. 3-4.

simultaneously, while tailoring the drawing of regions to relieve the burden on the RBOCs.⁶

CBT submits that this solution is not competitively neutral, since it provides a cost advantage to an RBOC that intends to compete with an independent company whose territory is split. CBT urges the Commission to modify the NANC recommendation to avoid split territories for independent telephone companies like CBT.

While the NANC's justification for matching regions to RBOC territories offers some overall efficiencies, its anti-competitive impact on the non-RBOC carriers cannot be ignored. To mitigate the burden on mid-sized companies, CBT recommends that the NANC's recommendation be modified. CBT asserts that the inequity in the NANC recommendation can easily be removed by giving non-RBOCs with contiguous operating areas the option to select a single region. CBT submits that allowing it to select a single regional database is consistent with the way CBT is viewed by the competitive local exchange carriers ("CLEC") and the Commission. CLECs view the Cincinnati metropolitan area as a single market without regard to the fact that CBT's operating area is split between two RBOC regions. The Commission has in its number portability implementation likewise viewed the entire Cincinnati metropolitan statistical area ("MSA") as one region.⁷ The Cincinnati MSA includes all of CBT's Kentucky territory and almost all of its Ohio territory.

⁶ CBT may be one of only a few ILECs faced with having to implement number portability within two regions simultaneously, since many small and mid-sized LECs may not be required to implement LNP in the near term, or if they must implement it, they are likely to operate entirely within a single region.

⁷ First Report and Order In the Matter of Telephone Number Portability, FCC 96-286 adopted June 27, 1996, released July 2, 1996 at paragraph 77 and Appendix F-Implementation Schedule.

Allowing CBT to select a single region will not significantly distort the distribution of lines among the regions.⁸ Any other companies that might be affected by this proposal would also probably have a small number of lines and therefore would not significantly shift the distribution of lines among regions.⁹

This proposal does not eliminate any of the efficiencies in the NANC proposal, but rather makes it more efficient by reducing the overall cost of implementing number portability. Regardless of the final cost recovery mechanism implemented by the Commission, the public will clearly benefit from any measures taken to further reduce the cost of implementing number portability.

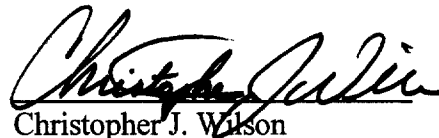
⁸ CBT has less than .6% of all access lines.

⁹ Over 75% of all access lines are currently RBOC lines.

III. CONCLUSION

CBT respectfully requests the Commission to modify the NANC's recommendations to allow non-RBOC companies with contiguous operating areas to select a single regional database. This change is competitively neutral and will benefit consumers by reducing costs without compromising the efficiency of the system recommended by the NANC.

Respectfully submitted,



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Filed: June 2, 1997

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that copies of Cincinnati Bell Telephone Company's Comments have been delivered by first class United States Mail, postage prepaid, on June 2, 1997, to the persons on the attached service list.


Judy Piepmeyer

* via hand delivery

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